



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**

(Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

**Agency:** Department of Social and Health Services, Health & Recovery Services Administration (HRSA), Medical Assistance

**Subject of possible rule making:**

Chapter 388-537 WAC, School Services

**Statutes authorizing the agency to adopt rules on this subject:**

20 USC 1400 et. Seq. – Individuals with Disabilities Education Act;

Chapter 28A.155 RCW - Special Education;

RCW 74.08.090 - Rule-making authority and enforcement;

Chapter 74.09 RCW - Public Assistance, Medical Care;

42 CFR 440.110 – State licensure requirements for physical therapy, occupational therapy, and speech therapy; and

Chapter 392-172 WAC - Rules for the provision of Special Education Students.

**Reasons why rules on this subject may be needed and what they might accomplish:**

In response to an audit conducted by the Centers for Medicare and Medicaid Services, the Health and Recovery Services Administration (HRSA) is amending WAC 388-537-0100, School Medical Services for Students in Special Education Programs, to bring the program into compliance with federal Medicaid regulations and policies.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:**

The federal Centers for Medicare and Medicaid Services (CMS) is reviewing and will approve HRSA's state plan amendment. Office of Superintendent of Public Instruction (OSPI) will review drafts of the rule and submit feedback.

**Process for developing new rule (check all that apply):**

☐ Negotiated rule making

☐ Pilot rule making

☐ Agency study

☒ Other (describe)

The department invites the interested public to review and provide input on the draft language of this rule. Draft material and information about how to participate may be obtained from the department representative listed below.

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

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**DATE**

January 12, 2007

**NAME (TYPE OR PRINT)**

Jim Schnellman

**SIGNATURE**

**TITLE**

Chief, Office of Administrative Resources

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